

**STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
SPECIAL CONFERENCE CALL  
BOARD MEETING**

**FINAL MINUTES**

**March 30, 2021**

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED  
MSF = MOTION: MADE, SECOND: FAILED)**

**THE SPECIAL MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:30 A.M. ON MARCH 30, 2021 BY A VIDEO CONFERENCE CALL. PARTICIPATING BY CONFERENCE CALL WERE BOARD MEMBERS BRAD COMPTON, LOUISE STARK, ZACH MASON, TAMMY OVERACKER, EXECUTIVE DIRECTOR LORI THOMASON, OFFICE SUPERVISOR AMANDA HARPER, ENFORCEMENT CHIEF TAD TADLOCK, BOARD LEGAL COUNSEL ROGER HALES AND JOAN CALLAHAN AND PROSECUTING ATTORNEY MIKE KANE.**

**ROLL CALL** – A roll call was taken. It was noted that all Board members were in attendance.

**AMEND AGENDA – MSC (MOTION: MASON; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) AMEND AGENDA TO FIRST ADD AN EXECUTIVE SESSION PRIOR TO THE EDUCATION AND ENFORCEMENT AGENDA ITEM THIS IS BEING TAKEN UP DUE TO THE TIMING ON THE ONGOING MATTER AND SECOND TO MOVE THE DIRECTORS REPORT TO AFTER.**

**Gregory M Brady – Designated Agent and Guide License Application Hearing** – A designated agent and guide license application hearing was conducted by the Board's Prosecuting Attorney Mike Kane. Gregory Brady, the applicant, was identified and placed under oath. Mr. Kane explained that Director Thomason, by Board policy, had deferred Mr. Brady's new designated agent and guide license application due to the Enforcement Division's review and scoring of Mr. Brady's misdemeanor convictions disclosed on his application. Mr. Brady is seeking a designated agent license and new outfitter license for North Star Charters. Mr. Brady testified, and certain exhibits were introduced into evidence. **MSC (MOTION: STARK; SECOND: MASON; AYES – COMPTON, MASON, OVERACKER, AND STARK; NAYES – NONE) TO GRANT MR. BRADY A NEW DESIGNATED AGENT AND GUIDE LICENSE WITH NO RESTRICTED PROBATION.**

**Rick E. Myers – Disciplinary and Guide License Application Hearing** – A guide disciplinary and license application hearing was conducted by the Board's Prosecuting Attorney Mike Kane. Rick Myers, the applicant, was identified and placed under oath. Mr. Kane explained that Director Thomason, by Board policy, had deferred Mr. Myers' renewal guide license application due to the Enforcement Division's review and scoring of Mr. Myers' flagrant fish and game violation disclosed on his application, and an Administrative Complaint was filed because the fish and game violations occurred while he held a previous guide license. Mr. Myers is seeking a guide license for employment with Buckhorn Outfitters. Mr. Myers testified, and certain exhibits were introduced into evidence. **MSC (MOTION: STARK; SECOND: MASON; AYES – COMPTON, MASON, OVERACKER, STARK; NAYES – NONE). TO FIND MR. MYER'S IN VIOLATION OF THE BOARD'S LAWS AND RULES AS SET FORTH IN THE ADMINISTRATIVE COMPLAINT AND BASED UPON THE EVIDENCE PRESENTED TODAY.**

**MSC (MOTION: STARK; SECOND: OVERACKER; AYES – COMPTON, MASON, OVERACKER, AND STARK; NAYES – NONE). TO GRANT MR. MYERS A RENEWAL GUIDE LICENSE WITH ONE YEAR RESTRICTED PROBATION.**

**Austin P. Crann – Guide License Application Hearing** – A guide license application hearing was conducted by the Board's Prosecuting Attorney Mike Kane. Austin Crann, the applicant, was identified and placed under oath. Mr. Kane explained that Director Thomason, by Board policy, had deferred Mr. Crann's new guide license application due to the Enforcement Division's review and scoring of Mr. Crann's misdemeanor convictions disclosed on his application. Mr. Crann is seeking a guide license for employment with Buckhorn Payette River Company. Mr. Crann testified, and certain exhibits were introduced into evidence. **MSC (MOTION: MASON; SECOND: STARK; AYES – COMPTON, MASON, OVERACKER, AND STARK; NAYES – NONE) TO GRANT MR. CRANN A NEW GUIDE LICENSE APPLICATION.**

Roger Hales left and Joan Callahan joined at 9:45 a.m.

**EXECUTIVE SESSION - MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO GO INTO EXECUTIVE SESSION TO DISCUSS RECORDS EXEMPT FROM DISCLOSURE AND DISCUSS WITH LEGAL COUNSEL CONTROVERSIES NOT YET LITIGATED PURSUANT TO I.C. § 74-206(1)(d), (f) AT 9:47 A.M.**

**MSC (MOTION: STARK; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO COME OUT OF EXECUTIVE SESSION WITH NO DECISION MADE AT 10:05 A.M.**

MIKE KANE LEFT AT 10:05 A.M.

**EDUCATION AND ENFORCEMENT SUPERVISOR'S REPORT** – Enforcement staff issued administrative complaint #0776 to Troy Denham for not having his guide license or other proof of licensure available. Assessed the minimum fine of \$50.00. **MSC (MOTION: MASON; SECOND: STARK; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) ACCEPT THE \$50 FINE.**

**CONT. Pending unlicensed Outfitting criminal proceeding** – The Board directed staff to provide the information requested by the Valley County Prosecutor. **Clearwater River Report** – Mr. Tadlock explained that in the past couple months he has made two different trips to the Clearwater River. He stated that when talking to the guides, there seemed to have been some misunderstanding on the clearwater stickers and broadly the Rules of the Outfitters and Guides Licensing Board. He said after a discussion with Director Thomason, he would like to send information to the Outfitters licensed on the Clearwater as well as meet with them and partner with IDFG enforcement for all licensed outfitters to answer any questions. Mr. Tadlock also drafted a proposed form OG-26 that is a written notice of usage form to assist outfitters in following IDAPA 24.35.01.008.04. The Board was very appreciative of Mr. Tadlock for the recognition of the need to address this issue. They are also in favor of a meeting with the Clearwater River guides and outfitters and ask that an invitation be given to the Idaho Outfitters and Guides Association (IOGA) for support and to co-sponsor the meeting. The Board would also like to continue this topic at a later date. **First Aid Report** – Mr. Tadlock explained that in past office procedures, the Education and Enforcement Officer approved all first aid courses. He asked for direction on what the Board finds as acceptable First Aid. Board Member Stark asked that Mr. Tadlock look through the list that was previously on the website and ensure there is an acceptable list. Board Member Mason recommended that instead of a listing of

providers have a standard first aid course on the website and focus on what the criteria is and less on the list of providers. **Expectations from Board** – Mr. Tadlock asked the Board for their expectations for him on how they wish him to proceed in the role of Enforcement Supervisor and this was continued for another meeting.

**DIRECTOR'S REPORT – Strategic Plan** – Director Thomason explained that a strategic plan moving forward will be in conjunction with DOPL, with one overall strategic plan to be used. The Board approved adding an allocation section to its portion of the plan and for it to be brought back to the Board for its approval. **Bear Cougar Overlap Policy** – Ms. Thomason stated that the current Bear and Cougar Policy needs to be reapproved based on the Forest Service recommendations and second to move forward with a conversation about adding an overlap policy in the Middle Fork Zone. **MSC (MOTION: STARK; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) REAUTHORIZE THE CURRENT CLEARWATER, NEZ PERCE BITTERROOT BEAR AND COUGAR OVERLAP POLICY IN THE CLEARWATER BITTERROOT NATIONAL FOREST FOR THE NEXT THREE YEARS EXPIRING ON JUNE 30, 2024.**

**Cont.** Board Chairman Compton would like to move forward with an overlap policy in the Middle Fork Zone. Ms. Thomason has been directed to follow through with making contact. **SA7A/SA8 Special Chinook Salmon Authorization** – The authorization letters went out this week. **Scoping Letter for the Old Stan Potts Area** – Ms. Thomason explained to the Board on how to find the scoping letter on the IOGLB's website. She continued that there have been two comments received thus far on the scoping letter. Board Member Stark asked for Director Thomason to contact the land manager to discuss any comments received and ask for a timeline on how they would like to proceed. **Upcoming Board Meetings** – Ms. Thomason asked that the dates for the quarterly meeting be set for June 15-16 and August 2-3, 2021. After a brief discussion, the next regular board meetings are scheduled for June 15-16 and August 10-11, 2021.

**IDFG UPDATE** - Jon Rachael, Regional Supervisor with the Idaho Department of Fish and Game (IDFG), appeared before the Board and gave an update. **SA7A/SA8 Special Chinook Salmon Season** – Will open on April 24<sup>th</sup> and close either by Director Schriever's order when harvest share quota has been met or August 8<sup>th</sup> whichever comes first. That fishery includes the Salmon River drainage on the Lower Salmon from Rice Creek Bridge to the Upper Ramp at Vinegar Creek, Little Salmon River from the mouth upstream to the Highway 95 Bridge near the Smoky Boulder Road and includes the Snake River from the Doug Bar boat ramp up to Hells Canyon. The fishery on the Salmon River drainages will be open 4 days per week – Thursday through Sunday. The Snake River drainage will be open all week. Daily bag limit is 4 chinook and with only one being an adult. **Big Game Season Setting** – For the 2020/2021 and 2021/2022 seasons, there were significant reduction in antlerless deer in Eastern Idaho. The Smoky-Bennett zone B elk tags were reduced from 2,500 to 700 tags which equated to a reduction in nonresident over the counter from 22 to 7 tags. There had been an outfitter allocation established of 7 outfitted tags which was reduced to 2 tags. South Hills B tag in which there was only 7 nonresident tags with 3 additional outfitted tags with all the tags being eliminated. In several regions, the unlimited controlled hunts for archery pronghorn were split up into more manageable areas. He anticipates that upon adjournment of the legislative session the proposed rule will go through that will require a one year wait for pronghorn hunts, and this will not affect the unlimited hunts. **Black bears** in units 22, 31, 32 and 32A were managed previously by controlled hunts exclusively which did provide a high density of bears in older age structure which are a very popular controlled hunt. Starting with the 2021 season there will be a general season. **Mountain Lions** - the removal of quotas on the number of female and male mountain lions which were not consistently being met in most of the units, so the Commission removed all 31 units that had those quotas. Authorized the use of electronic calls throughout the state. **Wolf** - Adopted an expansion of wolf hunting seasons to year-round in units where there were wolf predation of elk resulting in not meeting objective and those units that met

the definition of chronic depredation status. Chronic depredation status is any game management unit which has suffered at least one depredation on livestock in four of the previous five years. Those units that met these criteria were authorized a wolf trapping season a month earlier from September 10<sup>th</sup> instead of August 10<sup>th</sup>. In all those units the use of snares would be permitted beginning November 15<sup>th</sup> as it has been in the past. The commission also authorized year around trapping on private lands that have suffered chronic depredation status or identified that wolf predation of elk resulting in not meeting elk objectives. The Commission continued to not allow wolf trapping in units 48 and 49. **5 Day Waiting Period** – The Commission adopted a five-day waiting period for any individual that applied for an elk controlled hunt tag. The individual had to wait 5 days after the opening of the sale of resident capped elk zone tags. This was intended to reduce some of the competition in the handful of capped elk zones that were selling out very rapidly. This put a limit on individuals that applied for a controlled hunt that they could not purchase an over-the-counter tag if they did not draw the controlled hunt for 5 days. **Increasing Deer Tag Allocation for the Outfitter Set Aside** – The Commission increased the deer tag allocation from the outfitter set asides. In November, the Commission limited nonresident participation for deer and elk hunts, for deer it was by regular deer tag and whitetailed deer tag at the game management unit level based on the use reports that had been provided by outfitters to the Board, at that time. In November, the Commission allocated 1,776 tags from the set aside of 1,985 tags which left a balance of 209 tags that had not been allocated. After looking at the updated Board's use information there were 11 units with a total of 116 (rounded) regular deer tags exceeded what the November Commission had allocated. Four of these 11 units where use exceeded 50% of the total number of tags that they provided for nonresidents in units 34, 35, 47 and 20A that left the balance of tags in 7 game management units that totaled 67 tags of outfitter use exceeding the November Commission allocation, 1 additional tag in unit 6, 9 additional tags in unit 23, 3 additional tags in unit 25, 1 additional tag in unit 36, 9 additional tags in unit 49, 7 additional tags in unit 66 and 37 additional tags for unit 12 totaling 67 tags. The Commission adopted for one year providing additional allocation for those 7 units. Unit 13 had 9 additional tags from the set aside. There was an error in interpretation providing a white-tailed tag for unit 66. So, the Commission provided 77 additional tags from the outfitter set asides. He emphasized that the additional tag allocation above from the November Commission meeting allocation is for this 2021 season only. **Rule Making Process** – The rule making process has been proceeding on the IOGA request and petition to the Commission made in November. The Commission is being requested to increase the outfitter set aside to the maximum provided by administrative rule of 25% of the total number of tags authorized for the use by nonresidents for both deer and elk and the request is still being worked on.

**EXECUTIVE SESSION - MSC (MOTION: OVERACKER; SECOND: STARK; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO GO INTO EXECUTIVE SESSION TO DISCUSS RECORDS EXEMPT FROM DISCLOSURE AND DISCUSS WITH LEGAL COUNSEL CONTROVERSIES NOT YET LITIGATED PURSUANT TO I.C. § 74-206(1)(d),(f) AT 12:45 P.M.**

**MSC (MOTION: MASON; SECOND: STARK; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO COME OUT OF EXECUTIVE SESSION WITH NO ACTIONS OR DECISION HAVING BEEN MADE AT 12:59 P.M.**

**PETITIONS FOR RECONSIDERATION AND OBJECTIONS TO CALCULATIONS FOR THE DESIGNATION OF ALLOCATED TAGS –**

**C4 RANCH LLC** – Phoenix Auger, representative to C4 Ranch LLC, appeared before the Board. C4 Ranch requested that its hunters had hunted in each of three units and therefore requested that the same use be used for each unit. There was discussion about the Idaho Fish and Game Commission's shift to unit-specific non-resident hunts and that it made use determinations difficult for some outfitters in the same situation.

**MSC (MOTION: STARK; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) DENY PETITIONER THE RELIEF THAT IS BEING SOUGHT IN THIS PETITION.**

**CODY MORROW DBA: PONY CREEK OBJECTION** – Mr. Morrow did not appear for the hearing. Board Member Tammy Overacker expressed that due to the documentation that was received the 19A area was split and therefore the use should be split as the Board did in another hunt with same outfitters. **MSC (MOTION: OVERACKER; SECOND: STARK; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) SPLIT 2018 USE IN HALF GIVING RYAN HUDYNIA THE USE OF 4 TAGS AND CODY MORROW THE USE OF 4TAGS, AND TO RECALCULATE THE DESIGNATIONS FOR JUST THOSE TWO OUTFITTERS WITHOUT IMPACTING ANY OTHER OUTFITTERS IN THAT HUNT.**

**FINANCIAL REPORT** – Director Thomason provided a financial report to the Board. **MSC (MOTION: MASON; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) ACCEPT THE FINANCIAL REPORT AS SUBMITTED.**

**CONSENT AGENDA** – The Board reviewed the Consent Agenda.

**DESIGNATION OF ALLOCATED TAGS** – Board Legal Counsel Callahan stated that the staff is close to wrapping up the newly limited non-resident hunts for what the Commission amended at its March Commission meeting for the November 2020 actions.

The Commission moved forward on allocating some additional deer tags in certain units where there was a gap between what it had previously allocated and the use that the Board verified through the use determination process, which was provided to the Commission. The Commission proposed that for the 2021 season only to increase allocated deer tags for the following units: unit 6 for regular deer tags with total allocated tags to 32, unit 12 for regular deer tags with total allocated tags to 39, unit 13 for white tailed deer tags with total allocated tags to 14, unit 23 for regular deer tags with total allocated tags to 45, unit 25 for regular deer tags with total allocated tags to 20, unit 36 for regular deer tags with total allocated tags to 45, unit 49 for regular deer tags with total allocated tags to 18 and unit 66 regular deer tags with total allocated tags to 24 and white-tailed deer tag with total allocated tag of 1. The Board reviewed the amended calculations. **MSC (MOTION: STARK; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) ACCEPT THE NEW ADJUSTED DESIGNATION OF ALLOCATED TAGS IN THOSE DEER UNITS AS DESCRIBED FOR 2021 ONLY.**

There was one outstanding issue with the Unit 66 white-tailed deer tag for which the Commission allocated 1 additional tag at the Commission's March meeting based on a misreading of the information. One tag was allocated when previously zero tags have been allocated from the November Commission meeting. Due to not having any allocation when the survey was sent out outfitters were not requested to report and verify their use for unit 66 and the use reports had no use. The Board Chairman Compton and Board Member Stark would like to give direction to staff to see if the outfitters can agree on a stipulation between the 2 outfitters that are licensed in Unit 66 for 1 white-tailed tag in 2021 only. If there is no stipulation agreed upon, then option 2 would be a random draw according to the tie breaker rule.

**Cont. DESIGNATION OF ALLOCATED TAGS** – The Commission set big game seasons at the March Commission meeting. The Board reviewed the Commission's changes to the allocations for existing capped and controlled hunts Board Attorney Callahan requested that the allocated tags sub-committee continue

working on any issues with the designation of existing capped and controlled hunt allocated tags. **MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO CONTINUE WITH THE SUB-COMMITTEE TO WORK THROUGH THE DESIGNATIONS FOR THE PREVIOUSLY CAPPED AND CONTROLLED HUNT ALLOCATED TAGS.**

**Cont. DESIGNATION OF ALLOCATED TAGS** – The Board reviewed draft forms for transfers, waiting list and surrender forms for allocated tags. Board Members Stark and Overacker will do a final review and revisions within one week of the draft forms for allocated tags. The Board discussed providing direction to all big game outfitters regarding the new allocation system. **MSC (MOTION: STARK; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) DIRECTING BOARD STAFF TO PREPARE AND SEND AN EMAIL COMMUNICATION TO ALL BIG GAME OUTFITTERS REGARDING THE CORE PRINCIPALS AND STATUTES AND RULE OF THE DESIGNATED ALLOCATED TAG SYSTEM THAT INCLUDES A LINK AND DIRECTIONS WITH HOW TO ACCESS THIS INFORMATION ON THE WEBSITE.**

**Cont. MSC (MOTION: STARK; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) TO APPOINT BOARD MEMBERS STARK AND OVERACKER TO REVISE AND APPROVE FORMS RELATED TO ALLOCATED TAGS AND POST THEM ON THE WEBSITE FOR OUTFITTER USE.**

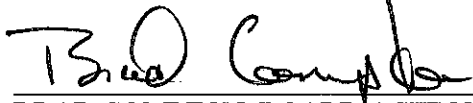
**CONSOLIDATION OF LICENSES SUB-COMMITTEE UPDATE** – Board Counsel Callahan gave an update on the first sub-committee meeting regarding the consolidation of licenses for outfitters that hold multiple licenses. Chairman Compton requested that the sub-committee bring a recommendation to the full board at the next available opportunity regarding a policy statement relative to fiscal impact of any changes allowing consolidation.

**LEGISLATIVE UPDATE** – The Board's pending rules were approved by both the Senate and the House committees. All indications were that the rules would be codified upon sine die, and at that time the Board will no longer be operating on temporary rules. Chairman Compton asked about the status of DOPL's three pieces of legislation that are part of the streamlining of the Boards assigned to DOPL.

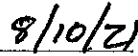
**OFFICE SUPERVISOR'S REPORT – Renewal** – Office Supervisor Amanda Harper reported to the Board that as of March 30, 2021, 349 Outfitters have renewed their license for license year 2021 and that 58 are still not renewed. She stated that of the 58 not renewed 3 of those are pending a sale. She stated that an email was sent on March 19, 2021, to all outfitters that had not renewed. Ms. Harper continued that Outfitters have until March 31<sup>st</sup> to complete their outfitter renewal and if they do not renew, they will be subject to a \$150 late fee starting April 1, 2021. **License Review** – Ms. Harper discussed that an outfitter had emailed a request that they had been issued a guide license for the 2020 license year, but the application had been meant for license year 2021. **MSC (MOTION: OVERACKER; SECOND: MASON; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) RESCIND THE 2020 GUIDE LICENSE AND ISSUE A 2021 GUIDE LICENSE AS REQUESTED BY THE APPLICANT.**

**MSC (MOTION: STARK; SECOND: OVERACKER; AYES – STARK, MASON, OVERACKER AND COMPTON; NAYES – NONE) MOTION TO ADJOURN AT 4:22 P.M.**

Board Meeting Minutes – March 30, 2021

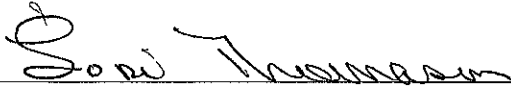


BRAD COMPTON, BOARD ACTING CHAIRMAN

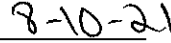


DATE

ATTEST:



LORI THOMASON, EXECUTIVE DIRECTOR



DATE